

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS



RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

PM & S
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED RAPID TISSUE PROCESSOR
the specification of which (CHECK applicable BOX(ES))

X A. ☐ is attached hereto.
BOX(ES) → B. ☒ was filed on December 14, 2000 as U.S. Application No. 09/ 735,918
→ C. ☐ was filed as PCT International Application No. PCT/ / on
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S) Number	Country	Day/MONTH/Year Filed	Date first Laid- open or Published	Date Patented or Granted	Priority NOT Claimed
--	---------	----------------------	---------------------------------------	-----------------------------	----------------------

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S) Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status pending, abandoned, patented	Priority Claimed
US 60/170,545	14/DEC/1999	pending	X
US 09/136,292	19/AUG/1998	pending	X
US 60/056,102	20/AUG/1997	abandoned	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Adam R. Hess	41835
Raymond F. Lippitt	17519	Glenn J. Perry	28458	Ruth N. Morduch	31044	William P. Atkins	38821
G. Lloyd Knight	17698	Kendrew H. Colton	30368	Richard H. Zaitlen	27248	Paul L. Sharer	36004
Kevin E. Joyce	20508	G. Paul Edgell	24238	Roger R. Wise	31204		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Jay M. Finkelstein	21082		
Donald J. Bird	25323	Timothy J. Klima	34852	Michael R. Dzwonczyk	36787		
Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE:

Date:

First	Azorides	Middle Initial	R.	Family Name	MORALES
Residence	Miami	Florida	U.S.A.		
City		State/Foreign Country		Country of Citizenship	
Post Office Address	1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida				
(include Zip Code)	33136				

(2) INVENTOR'S SIGNATURE:

Date:

First	Ervin	Middle Initial		Family Name	ESSENFELD
Residence	Caracas	Venezuela	Venezuela		
City		State/Foreign Country		Country of Citizenship	
Post Office Address	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,				
(include Zip Code)	Venezuela				

FOR ADDITIONAL INVENTORS, "X" box ☒ and proceed on the attached page to list each additional inventor.

☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848

(M#)

**DECLARATION AND POWER OF ATTORNEY**

(continued)

ADDITIONAL INVENTORS:**(3) INVENTOR'S SIGNATURE:****Date:**

Harold		ESSENFELD	
First	Middle Initial	Family Name	
Residence	Caracas	Venezuela	Venezuela
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela		

(4) INVENTOR'S SIGNATURE:**Date:**

Harold		D. KIMREY	
First	Middle Initial	Family Name	
Residence	Knoxville	Tennessee	U.S.A.
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)	10908 McBride Lane, Suite A, Knoxville, Tennessee 37932		

(5) INVENTOR'S SIGNATURE:**Date:**

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(6) INVENTOR'S SIGNATURE:**Date:**

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(7) INVENTOR'S SIGNATURE:**Date:**

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(8) INVENTOR'S SIGNATURE:**Date:**

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(9) INVENTOR'S SIGNATURE:**Date:**

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
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RULE 63 (37 C.F.R. 1.63)
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TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

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the specification of which (CHECK applicable BOX(ES))

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→ C. ☐ was filed as PCT International Application No. PCT/ / on
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Number	Country			

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US 60/170,545	14/DEC/1999	pending	X
US 09/136,292	19/AUG/1998	pending	X
US 60/056,102	20/AUG/1997	abandoned	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE: Azorides R. MORALES Date: _____
First Middle Initial Family Name
Residence Miami Florida U.S.A.
City State/Foreign Country Country of Citizenship
Post Office Address 1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida
(include Zip Code) 33136

(2) INVENTOR'S SIGNATURE: Ervin ESSENFELD Date: 31 / 11 / 2000
First Middle Initial Family Name
Residence Caracas Venezuela Venezuela
City State/Foreign Country Country of Citizenship
Post Office Address Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,
(include Zip Code) Venezuela

FOR ADDITIONAL INVENTORS, "X" box ☒ and proceed on the attached page to list each additional inventor.
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848
(M#)

JUN 26 2001

PATENT TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

1/31/01

Harold		ESSENFELD	
First	Middle Initial	Family Name	
Residence	Caracas	Venezuela	Venezuela
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela		

(4) INVENTOR'S SIGNATURE:

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Harold		D. KIMREY	
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(5) INVENTOR'S SIGNATURE:

Date:

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Date:

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Residence			
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Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(8) INVENTOR'S SIGNATURE:

Date:

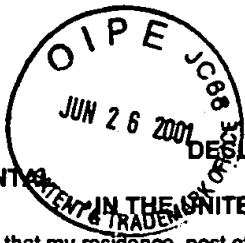
First	Middle Initial	Family Name	
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US 09/136,292	19/AUG/1998	pending X
US 60/056,102	20/AUG/1997	abandoned X

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Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE:

Date:

Azorides		R.		MORALES	
First	Middle Initial	Family Name			
Residence	Miami	Florida	U.S.A.		
City	State/Foreign Country		Country of Citizenship		
Post Office Address	1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida				
(include Zip Code)	33136				

(2) INVENTOR'S SIGNATURE:

Date:

Ervin		ESSENFELD	
First	Middle Initial	Family Name	
Residence	Caracas	Venezuela	Venezuela
City	State/Foreign Country		Country of Citizenship
Post Office Address	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,		
(include Zip Code)	Venezuela		

FOR ADDITIONAL INVENTORS, "X" box ☒ and proceed on the attached page to list each additional inventor.

☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848

(M#)



DECLARATION AND POWER OF ATTORNEY
(continued)
ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

Harold		ESSENFELD	
First	Middle Initial	Family Name	
Residence	Caracas	Venezuela	Venezuela
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela		

(4) INVENTOR'S SIGNATURE:

Date:

Harold		D. KIMREY	
First	Middle Initial	Family Name	
Residence	Knoxville	Tennessee	U.S.A.
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)	10908 McBride Lane, Suite A, Knoxville, Tennessee 37932		

(5) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(6) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

(8) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

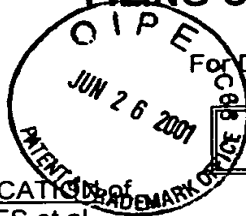
(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Post Office Address (include Zip Code)			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)



(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): MORALES et al.

Appln. No.: 09 735,918
Series Code \uparrow Serial No. \uparrow

Attn: **Application Division**
Atty. Dkt. P 0266848 UM 1997-35AB
M# Client Ref

Filed: December 14, 2000

Title: RAPID TISSUE PROCESSOR

Hon. Commissioner of Patents
Washington, DC 20231

Date: June 26, 2001

Sir:

The following **completes the filing** under **Rule 53(f)** of the above-identified patent application:

1. **Notice to File Missing Parts** ☐ copy attached ☒ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
 - a. ☐ Abstract
 - b. # pages of Specification (only spec. & claims)
 - c. ☐ Drawing(s) No of Sheets
 - ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/170,545	December 14, 1999	(2) 09/136292	August 19, 1998
(3) 60/056,102	August 20, 1997	(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

#3

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / filed on _____
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: International Search Report, Form PTO-1449 and cited documents.
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code	
13. Basic Filing Fee				Design Application	\$320/\$160	106/26	
				Not Design Application	\$710/\$355	101/201	
14. Total Effective Claims	28	minus 20 =	8	x \$18/\$9	+144	103/203	
15. Independent Claims	3	minus 3 =	0	x \$80/\$40	+0	102/202	
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)				\$270/\$135	+0	104/204	
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205	
18.				FILING FEE ENCLOSED = \$984			
19. <u>Original</u> due date:							
20. Petition is hereby made to extend the <u>original</u> due date to				(1 mo)	\$110/\$55 =	+0	115/215
cover the date this response is filed for which the requisite fee				(2 mos)	\$390/\$195 =		116/216
is attached				(3 mos)	\$890/\$445 =		117/217
				(4 mos)	\$1390/\$695 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	581	
23. Petition Fee for				\$130	+0		
24.				TOTAL FEE ENCLOSED = \$1024			

Our Deposit Account No. 03-3975

Our Order No. 070373

0266848

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

1600 Tysons Boulevard
 McLean, VA 22102
 Tel: (703) 905-2000

By Atty: Gary R. TanigawaReg. No. 43,180Sig: 

Fax: (703) 905-2196
 Tel: (703) 905-2500

Atty/Sec: GRT/tis:nlh

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments